

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

KOURTNEE GREENWOOD, #179 810 *

Petitioner, *

v. * CIVIL ACTION NO. 2:05-CV-733-T

JAMES DELOACH, *et al.*, *

Respondents. *

ORDER ON MOTION

Petitioner filed a response to Respondents' answer on October 7, 2005. The court also construes Petitioner's response as a motion to amend as he presents therein an additional claim for relief. Specifically, Petitioner alleges that trial counsel failed to present a constitutionally adequate alibi defense where he failed to investigate properly Petitioner's whereabouts on the day of the robbery and failed to sufficiently investigate accomplice testimony which would have corroborated Petitioner's alibi defense/testimony. (Doc. No. 19.) Upon consideration of the motion to amend, and for good cause, it is

ORDERED that this motion (Doc. No. 19) be and is hereby GRANTED.

It is further

ORDERED that on or before October 31, 2005 Respondents shall file a supplemental answer addressing Petitioner's additional claim of ineffective assistance of trial counsel. Respondents' supplemental answer should comply with the requirements contained in the

court's August 9, 2005 order of procedure. (*See* Doc. No. 6.)

Done this 13th day of October 2005.

/s/ Vanzetta Penn McPherson
VANZETTA PENN MCPHERSON
UNITED STATES MAGISTRATE JUDGE